

# MINUTES OF



## RICHLAND COUNTY COUNCIL REGULAR SESSION TUESDAY, MARCH 7, 2006 6:00 p.m.

*In accordance with the Freedom of Information Act, a copy of the agenda was sent to radio and TV stations, newspapers, persons requesting notification, and was posted on the bulletin board located in the lobby of the County Administration Building.*

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### MEMBERS PRESENT:

Chair	Anthony G. Mizzell
Vice Chair	L. Gregory Pearce, Jr.
Member	Valerie Hutchinson
Member	Joseph McEachern
Member	Mike Montgomery
Member	Bernice G. Scott
Member	Damon Jeter
Member	Kit Smith
Member	Paul Livingston
Member	Doris Corley
Absent	Joyce Dickerson

**OTHERS PRESENT** – Michelle Cannon-Finch, Milton Pope, Tony McDonald, Joe Cronin, Roxanne Matthews, Larry Smith, Amelia Linder, Donny Phipps, Michael Criss, Anna Almeida, Rodolfo Callwood, Monique Walters, Daniel Driggers, Stephany Snowden, Kendall Johnson, Jennifer Dowden, Hugh Caldwell, Audrey Shifflett, Michelle Onley

### CALL TO ORDER

The meeting was called to order at approximately 6:02 p.m.

### INVOCATION

The Invocation was given by the Honorable Michael Montgomery

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by the Honorable Michael Montgomery

Mr. Mizzell offered condolences to the family on the passing of Richland County employee Darryl Buggs.

Mr. Pearce requested that Mr. Jack Claypoole, LRADAC be added to the presentations. The vote in favor was unanimous.

#### **PRESENTATION**

**Mr. Jack Claypoole, Director, LRADAC**—Mr. Claypoole stated he will be leaving LRADAC and going to Washington, D.C. to head the Drug Free Community Support Program.

**Ms. Becky Bailey, Chairwoman, Conservation Commission**—Ms. Bailey briefed Council on the work plans for the commission. She also introduced the new Program Manager, Jim Wilson.

**Ms. Sandra Hackley, Early Childhood Development, Midlands Technical College**—Ms. Hackley and Ms. Amanda Berrier briefed Council on the LIFT and WAGES programs.

#### **ADOPTION OF AGENDA**

Mr. Livingston moved, seconded by Ms. Scott, to add Project Chicago under the Report of Economic Development Committee. The vote in favor was unanimous.

Mr. Livingston moved, seconded by Ms. Scott, to add Kolorpro under the Report of Economic Development Committee. The vote in favor was unanimous.

Mr. Livingston moved, seconded by Mr. Pearce, to approve the agenda as amended.

Mr. Pearce made a substitute motion, seconded by Ms. Scott, to add the Recreation Commission lawsuit under the Report of the County Attorney for Executive Session and to amend the agenda as previously amended. The vote in favor was unanimous.

#### **CITIZEN'S INPUT**

Mr. Johnny James, South Carolina Combat Veterans Group, spoke regarding the exemptions to the Road Maintenance Fee.

#### **APPROVAL OF MINUTES**

**Regular Session: February 21, 2006** – Ms. Hutchinson moved, seconded by Ms. Scott, to approve the minutes as submitted.

Mr. Mizzell stated that Ms. Dickerson was attending the National Association of Counties meeting in Washington, D.C. and was excused from this meeting.

#### **REPORT OF THE COUNTY ATTORNEY FOR EXECUTIVE SESSION ITEMS**

Mr. Smith stated that there were several items that may need to be discussed in Executive Session:

- 1. Recreation Commission Lawsuit**
- 2. Detention Center Medical Contract**

3. **Personnel Matter**
4. **Sale of Property: 1610 Marion Street**

Ms. Smith moved, seconded by Ms. Scott, to move the Executive Session to after Citizen's Input and receive the Recreation Commission briefing and any other items deemed necessary.

#### **REPORT OF THE COUNTY ADMINISTRATOR**

**Personnel Matter**—Ms. Smith moved, seconded by Ms. Scott to move this item to Executive Session. The vote in favor was unanimous.

**POINT OF ORDER**—Mr. Montgomery was concerned about not receiving the information regarding the audit presentation prior to the meeting.

**Audit Presentation**—Mr. Pope gave a brief overview of the audit findings. Mr. Bob Millhouse briefly explained the layout of the audit information presented to Council. Mr. Mizzell stated that if Council had any questions a meeting would be scheduled in the future.

**Innovista Update**—Mr. Pope stated that the documents have been forwarded to Richland County for signature as directed and as soon as the documents have been finalized they will be forwarded to Council.

**Budget Process**—Mr. Pope stated that staff is meeting with all of the internal direct report departments, elected and appointed officials. Further information will be provided to Council.

#### **REPORT OF THE CLERK OF COUNCIL**

**County/City Joint Meeting Date, Monday, March 20, 2006, Clarion Hotel, 8:00 a.m.-10:00 a.m.**—Ms. Finch stated that the meeting will take place on March 20<sup>th</sup> at 8:00 a.m.-10:00 a.m. at the Clarion Hotel.

**South Carolina Economic Developers' School, Charleston, South Carolina, May 18-19, 2006**—Ms. Finch stated that if anyone wanted to attend the South Carolina Economic Developers' School to please let her know.

**Richland Memorial Hospital Board Reception, Wednesday, April 5<sup>th</sup> at 6:00 p.m., Palmetto Club in the Meekin Room**—Ms. Finch stated that Council is invited to attend the Richland Memorial Hospital Board Reception on April 5<sup>th</sup> at 6:00 p.m. in the Palmetto Club's Meekin Room.

#### **REPORT OF THE CHAIRMAN**

**Detention Center Task Force Meeting**—Mr. Mizzell stated that Mr. McEachern, Mr. Pearce, Mr. Pope and himself met with employees from the Detention Center. The employees had concerns regarding compensation and overall morale. A follow-up meeting is planned in the next several weeks.

### PUBLIC HEARING ITEMS

- **Approval of an Ordinance Amending the Fiscal Year 2005-2006 Hospitality Tax Budget to add Two Hundred Fifty Thousand Dollars (\$250,000.00) for Township Operations**

No one signed up to speak.

### APPROVAL OF CONSENT ITEMS

Mr. Scott moved, seconded by Mr. Pearce, to approve the following consent items:

- **Approval of an Ordinance Amending the Fiscal Year 2005-2006, Hospitality Tax Budget to add Two Hundred Fifty Thousand Dollars (\$250,000.00) for Township Operations** [Third Reading]
- **05-114MA, Joe Clark, RU to RS-MD, Single Family Detached Subdivision, 01506-01-06, SW Quad of Three Dog Road & Dutch Fork Rd.** [Third Reading]
- **05-105MA, Robert Fuller, RS-MD to NC, Develop Small Office Park, 20200-01-18(p); Across from Killian Elementary School** {Second Reading]
- **05-116MA, Preston Young, RU to RM\_HD (43 acres), Residential Subdivision, 14500 02-08/15, Southwest Quadrant of Powell Road** [Second Reading]
- **05-118MA, Don Lovett, PDD to GC (0.09 acres), General Commercial, 17414-01-17(p), Adjacent to Killian Green S/D** [Second Reading]
- **05-121MA, William Higgins, M-1 to GC (17 acres), General Commercial, 04910-01-09 & 04913-01-01/03/05, Northeast Quadrant of Fernandina Road & Piney Woods Road** [Second Reading]
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Zoning; Article VI, Supplemental Use Standards; Paragraphs (8), (9) and (10); so as to Amend the Required Conditions or Daycares (Adult Daycares, Family Daycares, and Group Daycares) Regarding Parking** [Second Reading]
- **An Ordinance Amending the Richland County Code of Ordinances; Chapter 26, Zoning; Article V, Zoning Districts and District Standards; Section 26-96, GC General Commercial Districts; Subsection (c), Development Standards, Paragraph (5) Height Standards; so as to Amend the Maximum Height of Structures in the GC District from Thirty-Five (35) feet to Forty-Five Feet** [Second Reading]
- **An Ordinance Amending the Richland County Code of Ordinances, Chapter 26, Zoning; Article IV, Amendments and Procedures; Section 26-52, Amendments; Subsection (H), Withdrawal or Reconsideration of Proposed Amendments; Paragraph (1), Withdrawal; so as to Amend the Time in Which an Applicant May Withdraw an Amendment Application** [First Reading]
- **Sanitary Sewer Extension Agreement Spring Hill Subdivision** [First Reading]
- **Adoption of Internal Audit Project List and Consideration of Project Funding for FY 06** [First Reading]
- **Public Works Purchase Request: Purchase of One (1) Tractor/Mower** [First Reading]
- **Sheriff Grants:**
  - a. **Approval of Four Grants—No Personnel Costs or Financial Match Required** [First Reading]
  - b. **Approval of Two Grants—No Personnel Costs \$7,488 Matching Funds Required** [First Reading]

c. **Approval of Grant for One AFIS Work Station and Two Live Scan Devices and Printers--\$47,000 match required [First Reading]**

- **Approval of Qualified GIS Contractor List**
- **Acquisition of Land to the North of the Richland County C&D Landfill**
- **A Budget Amendment to Increase Funding to Non-Department Special Contracts Account for Local Option Sales Tax Software**

The vote in favor was unanimous.

**ITEM FROM COUNCIL MTG. HELD 02/21/06**

**Detention Center Medical Contract**—Mr. Pope briefed staff regarding the evaluation process and the vendor's services and the amount of the contract that staff has recommended be awarded the contract. A discussion took place.

Mr. Pearce moved, seconded by Ms. Corley, to authorize the staff to negotiate and award the contract. The vote in favor was unanimous.

**ITEM FROM COUNCIL MTG. HELD 02/07/06**

**Sale of Property: 1610 Marion Street**—Ms. Smith moved, seconded by Ms. Corley to accept staff's recommendation to sell property. A discussion took place.

Mr. Livingston moved, seconded by Ms. Scott, to amend the motion to include the provision that the 2.5% commission be assessed to the buyer and that the adjacent parcel not be included in the proposed contract.

Mr. Montgomery made a substitute motion, seconded by Ms. Hutchinson, to authorize the Administrator to negotiate other proposal(s) or contract(s) and bring back the proposal(s) to Council for approval in order to receive the best price. A discussion took place.

<u>In favor</u>	<u>Oppose</u>
Montgomery	Corley
McEachern	Jeter
Pearce	Mizzell
Hutchinson	Livingston
	Smith
	Scott

The substitute motion failed.

The vote in favor of the amended motion was unanimous.

**Township Auditorium: Acquisition of Property**—Ms. Smith moved, seconded by Ms. Scott, to authorize staff to negotiate a contract and bring it back to Council for consideration. A discussion took place.

Mr. Pearce made a substitute motion, seconded by Ms. Smith, to direct the Administrator to evaluate the properties, prioritize what is most critical, evaluate what each would cost and bring it back to Council for consideration. The vote in favor was unanimous.

**REPORT OF ADMINISTRATION AND FINANCE COMMITTEE**

**Funding Request: Wood and Partners, Task 2, Entertainment/Recreation Complex**—Ms. Smith moved, seconded by Mr. McEachern, to hold a full Council work session on March 21<sup>st</sup> from 4:00-5:00 p.m. The vote in favor was unanimous.

Mr. Pope noted for the record that Ms. Matthews had conveyed staff's displeasure of not getting the information regarding this item in a timely manner.

**Exemptions to Road Maintenance Fee**—Ms. Smith stated that the committee's recommendation was for approval of this item.

Mr. Montgomery moved, seconded by Ms. Hutchinson, to amend the motion to include a proviso that if any further exemptions are added for consideration that all exemptions be considered. The vote in favor was unanimous.

**POINT OF PERSONAL PRIVILEGE**—Mr. Pearce recognized that the South Carolina Combat Veterans Group were present.

**Allocation of \$10,000 in Unallocated HTAX Funds to City-Center Partnership for International Downtown Association Spring Conference Sponsorship**—Ms. Smith stated that this item was forwarded with the recommendation to not appropriate the funds.

Mr. Livingston made a substitute motion, seconded by Ms. Scott, to appropriate the funds for this item. A discussion took place.

Ms. Scott called for the question, Mr. Livingston seconded.

<u>In favor</u>	<u>Oppose</u>
Montgomery	Mizzell
McEachern	
Corley	
Pearce	
Livingston	
Hutchinson	
Smith	
Scott	

The vote was in favor.

<u>In favor</u>	<u>Oppose</u>
Corley	Montgomery
Jeter	McEachern
Pearce	Hutchinson
Mizzell	Smith
Livingston	
Scott	

The vote was in favor.

**REPORT OF ECONOMIC DEVELOPMENT COMMITTEE**

**KPR Holdings, L.P. Transfer to Tyson Prepared Foods, Inc.**—Mr. Livingston stated the committee recommended approval. The vote in favor was unanimous.

**Sale of Property: Richland Northeast Industrial Park**

- a. **Brazell Family, LLC**—Mr. Livingston recommended that this item be deferred to the next Council meeting. The vote in favor was unanimous.
- b. **Miller Valentine Partners, Ltd., II**—Mr. Livingston recommended that this item be deferred to the next Council meeting. The vote in favor was unanimous.

**Project Chicago**—Mr. Livingston stated the committee recommended approval. A discussion took place. The vote in favor was unanimous.

**Kolorpro Proposal**—Mr. Livingston stated the committee recommended approval. A discussion took place.

**CITIZEN'S INPUT**

No one signed up to speak.

**EXECUTIVE SESSION**

**EXECUTIVE SESSION ITEMS**

Ms. Pearce moved, seconded by Ms. Hutchinson, to go into Executive Session. The vote in favor was unanimous.

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**Council went into Executive Session at approximately 8:26p.m. and came out at approximately 9:37 p.m.**  
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Mr. Pearce moved, seconded by Ms. Scott, to come out of Executive Session. The vote in favor was unanimous.

- a. Recreation Commission Lawsuit—The County Attorney is to draft a letter to Gov. Sanford from Mr. Mizzell regarding this issue.
- b. Personnel Matter—This item was received for information.
- c.

**MOTION PERIOD**

**Kester Freeman Resolution**—Mr. Livingston moved to adopt a resolution for Mr. Kester Freeman. The vote in favor was unanimous.

**Ballet Trip to China**—Ms. Scott moved to direct the Administrator to bring back to Council a proposal for \$5,000 to send the ballet to China.

Ms. Smith moved, seconded by Mr. Jeter, to adjourn. A discussion took place.

Ms. Smith withdrew her motion.

<u>In favor</u>	<u>Oppose</u>
Corley	Montgomery
Jeter	McEachern
Mizzell	Pearce
Scott	Hutchinson
	Smith

The motion failed.

Ms. Scott to direct the Administrator to bring back to the A&F Committee a proposal for \$5,000 to send the ballet to China.

**Junk Car Ordinance**—Mr. Pearce forwarded to the D&S Committee the issue of junk cars.

**Allocation for Walking Trails**—Mr. Jeter forwarded to the D&S Committee a request for a report on the \$35,000 allocated for walking trails.

**Lower Richland Lady Diamonds Resolution**—Mr. Mizzell moved to adopt a resolution congratulating the Lower Richland Lady Diamonds on their AAAA basketball championship. The vote in favor was unanimous.

Darryl Buggs Resolution—Mr. Mizzell moved to adopt a resolution honoring Mr. Darryl Buggs for his service with Richland County. The vote in favor was unanimous.

#### ADJOURNMENT

Mr. Pearce moved, seconded by Mr. Jeter, to adjourn. The vote in favor was unanimous.

The meeting adjourned at approximately 8:54 p.m.

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Anthony G. Mizzell, Chair

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L. Gregory Pearce, Jr. Vice-Chair

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Doris M. Corley

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Joyce Dickerson

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Valerie Hutchinson

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Damon Jeter

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Paul Livingston

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Joseph McEachern

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Mike Montgomery

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Bernice G. Scott

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Kit Smith

The minutes were transcribed by Michelle M. Onley